

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

JAMES DANIEL ALEXANDER,)	Case No. 8:23-cv-00274-JFW-JDE
Plaintiff,)	
v.)	ORDER ACCEPTING FINDINGS
JERRY BROWN, et al.,)	AND RECOMMENDATIONS OF
Defendants.)	UNITED STATES MAGISTRATE
)	JUDGES

Pursuant to 28 U.S.C. § 636, the Court has reviewed the records on file, including the operative First Amended Complaint (Dkt. 112) filed by James Daniel Alexander (“Plaintiff”) against Jerry Brown (“Brown”), Kathleen Allison (“Allison”), Jeffrey A. Beard (“Beard”), Scott Kernan (“Kernan”), Ralph Diaz (“Diaz”), Jennifer Shaffer (“Shaffer”), Kevin Stripling (“Stripling”), M. D. Stainer (“Stainer”), M. Voong (“Voong”), G. Murphy (“Murphy”), Raymond Madden (“Madden”), J. Gastelo (“Gastelo”), P. Denny (“Denny”), R. Gibson (“Gibson”), M. Denby (“Denby”), L. Chauncey (“Chauncey”), T. Nelson (“Nelson”), D. Robinson (“Robinson”), D. Don (“Don”), C. Azevedo (“Azevedo”), L. Martinez (“Martinez”), S. Hopkins (“Hopkins”), the United States, the State of California, and Does 1-48; the July

1 1, 2024 Report and Recommendation of the previously assigned magistrate
2 judge recommending the dismissal without prejudice of Brown, Gibson,
3 Nelson, and Don (Dkt. 125, "July Report"); Plaintiff's Objections and
4 Amended Objections to the July Report (Dkt. 127-128); the Motion to Dismiss
5 filed by the United States (Dkt. 129, "US Motion"); the January 10, 2025
6 Report and Recommendation of the previously assigned magistrate judge
7 recommending that the US Motion be granted and the United States be
8 dismissed with prejudice (Dkt. 156, "January Report"); the Order Accepting
9 the January 2025 Report (Dkt. 161); the Motion to Dismiss filed by Murphy,
10 Beard, Gastelo, Shaffer, Allison, Stripling, Chauncey, Martinez, Denby,
11 Voong, Stainer, Diaz, Madden, Hopkins, Denny, Kernan, Robinson, and
12 Azevedo (Dkt. 141, "Individual Defendants' Motion"); Plaintiff's Opposition
13 (Dkt. 152); the Reply brief filed in support of the Individual Defendants'
14 Motion (Dkt. 155); and the August 27, 2025 Report and Recommendation of
15 the assigned magistrate judge (Dkt. 164, "August Report"). Plaintiff did not
16 file a timely objection to the August Report or timely seek additional time to
17 do so. The Court has engaged in a de novo review of those portions of the July
18 Report to which objections have been made. The Court accepts the findings
19 and recommendations of the magistrate judge.

20 Therefore, IT IS HEREBY ORDERED that:

- 21 1. the July Report (Dkt. 125) and August Report (Dkt. 164) are
22 approved and accepted;
- 23 2. Brown, Gibson, Nelson, and Don are dismissed without prejudice;
- 24 3. the Individual Defendants' Motion to Dismiss (Dkt. 141) is
25 GRANTED;
- 26 4. all Section 1983 claims against Allison, Beard, Kernan, Diaz,
27 Shaffer, Stripling, Stainer, Voong, Murphy, Madden, Gastelo, Denny, Denby,
28

1 Chauncey, Robinson, Azevedo, Martinez, and Hopkins are dismissed with
2 prejudice;

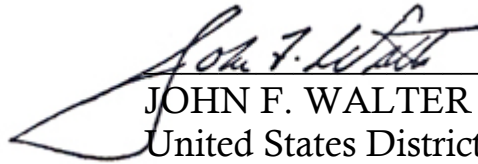
3 5. the Section 1983 claim against the State of California is dismissed
4 without prejudice;

5 6. all state law claims against Allison, Beard, Kernan, Diaz, Shaffer,
6 Stripling, Stainer, Voong, Murphy, Madden, Gastelo, Denny, Denby,
7 Chauncey, Robinson, Azevedo, Martinez, and Hopkins are dismissed without
8 prejudice to seeking relief in state court;

9
10 7. all Doe defendants are dismissed without prejudice; and

11 8. Judgment shall be entered dismissing this action without further
12 leave to amend.

13
14 Dated: September 16, 2025


JOHN F. WALTER
United States District Judge